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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,774	10/04/2004	Benjamin Guy Salter	P/70126/Alstom	5773

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489 FIFTH AVENUE  
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EXAMINER
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SWARTHOUT, BRENT

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 04/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/711,774

Applicant(s)

SALTER, BENJAMIN GUY

Examiner

Brent A. Swarthout

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5-11-05</u> . | 6) <input type="checkbox"/> Other: ____  |

Art Unit: 2612

1. Claims 6,7 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 6, line 4 and claim 12, line 4 "and/or" is indefinite.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,3-5 and 9-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norman et al. in view of Schleder et al.

Norman discloses an airport lighting system comprising system power supply ( Fig. 4), central control unit 4, plural light installations 20, each installation connected to the power supply in parallel with other installations (Fig. 2), with light emitting means 20 and installation control units 18 for receiving commands from the central control to control lights (col. 7, lines 8-11), except for specifically stating that control signals control the brilliance of the light.

Schleder teaches desirability of using control signals to control the brilliance of light emitters in an airfield lighting system (col. 4, lines 47-52).

It would have been obvious to utilize brilliance control signals as suggested by Schleder in conjunction with a light control system as disclosed by Norman, in order that the intensity of lights could have been controlled from a remote point, to provide appropriate lighting for particular conditions.

Regarding claim 3, since Schleder teaches that intensity can be commanded, choosing to have different possible intensity levels would have been obvious, in order to allow lighting for plural types of conditions.

Regarding claim 4, Schleder teaches turning off lights (col. 6, line 23).

Regarding claim 5, light output is independent of supplied voltage in Schleder since it is based on input control signals for each light (col. 4, lines 47-49).

Regarding claims 9-12, Schleder teaches use of control link to provide commands (col. 4, line 17). Choosing to use a particular type of link, such as a well-known bus, RS485 link or CAN would have been obvious, since these are conventional link means used to convey information, applicant citing no criticality for their use, such links being functionally equivalent to the links used by Schleder.

Regarding claim 13, Norman teaches use of powerline communication (col. 6, lines 1-5).

Regarding claim 14, Norman teaches use of modem communication (col. 5, lines 62-67) and Schleder also teaches use of Modem for communication (col. 11, line 7; Fig. 2a).

Regarding claims 15-16, Schleder teaches use of feedback means (col. 4, lines 52-55).

Regarding claim 18, Schleder teaches use of housing for power supply and control unit (col. 4, lines 10-22).

Regarding claims 19-20, Schleder teaches user selection of intensity of lighting (col. 4, lines 35-50) at an interface panel in an air traffic control tower.

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Norman et al. in view of Schleder et al. and Airport Lighting Session Highlights Publication.

Airport lighting teaches desirability of using LEDs instead of conventional lighting in an airfield environment in order to get more efficient usage and longer life (Page 8).

It would have been obvious to use LEDs in a system as disclosed by Norman and Schleder in order to get greater light output and longer times between lighting replacement, thus resulting in lower operational costs.

4. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norman et al. in view of Schleder et al. and Ford et al.

Ford teaches desirability of using converted power input to produce a given lighting intensity (col. 3, lines 24-30).

It would have been obvious to use power output to control intensity as suggested by Ford in conjunction with a system as disclosed by Norman and Schleder, in order to provide proper intensity output if constant current was desired.

Regarding claim 7, choosing to use switched mode power supply would have been obvious since such systems are commonly used in environments which require accurate control of output voltage, such as an airfield lighting system.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Norman et al. in view of Schleder et al. and Hunt.

Hunt teaches desirability of using a power supply cable that is center-tapped to provide powerline communications (col. 9, lines 1-3).

It would have been obvious to use communications over a center-tapped powerline in conjunction with a system as disclosed by Norman and Schleder, since this is a well-known conventional powerline signal transmission technique which is functionally equivalent to the powerline signal transmission technique used by Norman and Schleder, applicant providing no criticality for use of a center-tapped line versus other known techniques.

6. Claims 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schleder et al.

Schleder teaches a lighting installation for use in an aeronautical ground lighting system comprising light emitting means 9, communication interface (col. 4, lines 35-40), installation control unit to control lighting intensity (Fig. 1a; col. 4, lines 47-52), and use of constant current (col. 4, lines 4-8).


Since Schleder teaches use of constant current, choosing to have constant voltage would have been obvious, since such would have been the case if impedance values did not change.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Rizkin, Satoh, Mitsch, Pavarotti and Runyon disclose lighting control systems.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent A Swarthout whose telephone number is 571-272-2979. The examiner can normally be reached on M-F from 6:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Horabik, can be reached on 571-272-3068. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Brent A Swarthout  
Art Unit 2636

**BRENT A. SWARTHOUT  
PRIMARY EXAMINER**